

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DONALD ISAAC JOHNSON,

**Plaintiff,**

V.

**STATE OF WASHINGTON,**

## Defendant.

No. C15-5488 RJB-KLS

## **ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation.
  - (2) Plaintiff's motion to proceed *in forma pauperis* (Dkt. 1) is **denied**; Plaintiff's complaint is **dismissed without prejudice** on the grounds that it is frivolous, malicious, and fails to state a claim upon which relief may be granted, and the **dismissal shall count as a strike under 28 U.S.C. § 1915(g)**.
  - (3) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. Karen L. Strombom.

**DATED** this 8<sup>th</sup> day of September, 2015.

*Robert J. Bryan*

**ROBERT J. BRYAN**  
United States District Judge

## **ORDER TO AMEND OR SHOW CAUSE- 1**